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Res Gestae

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So, what can we tell you about our paper?

# The Reg Chestnut

Vol. 32, No. 5

University of Michigan Law School

October 5, 1983



## Allen on Law

Francis Allen, Professor and former Dean of the University of Michigan Law School, met with the R.G.'s Ted Lee to offer a few pearls of wisdom in this week's interview column. In a successful attempt to catch the R.G. off-guard, Allen insisted on an early morning meeting.

**R.G.:** Professor Allen, you were the Law School's Dean from 1966 until 1971, which were some of the more tumultuous times...

**FA:** That, so far, is the greatest understatement of the day.

**RG:** But at the same time, was the Law School somewhat protected? Did the most radical students choose law school or were they found in other disciplines?

**FA:** What happened in the Vietnam period was that the full impact of the student unrest and uproar was delayed. The thing broke out at the University of California in the mid-1960's and it really wasn't until the late sixties that the problem came to full expression in the professional schools, including the law schools. But after 1968, there was no appreciable difference between the Law School and the rest of the university, and in some respects, the unrest was more vocal in the Law School simply because the law students tended to be more vocal types.

**RG:** What activities did law students engage in?

**FA:** Well, at the same time that the Vietnam controversy was going on, we were experiencing the more vigorous expressions of the civil rights movement, which took the form of the BAM Strike on this campus. This was a movement on the part of the black students to obtain a concession from the university that 10 percent of the university be black, and a widespread student strike took place, and this of course, was supported by many of the activist white students. Insofar as confrontations are concerned, they tended to relate to that issue rather than to the broader issues of the Vietnam controversy, but obviously they were related.

**RG:** Did that strike have some impact on the Law School's present admissions policy which requires that certain defined minorities make up 10% of the student body?

See Allen, page 5

## WALT Whips Mead Greed

by Carol Shepherd

Spurred on by West's offer of a free terminal, the Law Library has ordered a Westlaw subscription for student use which will be installed sometime this term. The Westlaw package, according to Margaret Leary, the Library's Associate Director, features a newly-redesigned Falco terminal which is "easier to use" than the current model, and is nicknamed WALT, for West's Automatic Law Terminal. (West conducted an extensive contest to search for a "user-friendly" name.) The terminal will be hooked up to a Hewlett-Packard printer, and the Library has requested the most comprehensive law school subscription plan possible.

Another factor in the Library's decision to acquire both computer research programs, Leary said, was that "the presence of Westlaw in the faculty library has made everyone aware" of its importance as a research tool. The faculty currently has one Westlaw terminal, but a healthy amount of use and encouragement by West have generated plans to expand faculty services through the use of of-

fice-based, individual terminals. This will be a distinct advantage for West authors here at the Law School, according to Leary, as they will be able to communicate and work directly with West on manuscripts in their offices, in addition to having instant access to the Westlaw research database.

The Law School has subscribed to LEXIS computerized research since 1976 and, according to Leary, "by 1979 or 1980 almost every law school had LEXIS." Comparatively, it has taken West a long time to enter the race against Mead Data; however, Westlaw has several attractive features which have quickly allowed it to move in on the LEXIS research market. Foremost is the ease of access to the West database through nondedicated terminals. LEXIS was "somewhat greedy at the beginning" by forcing subscribers to use a dedicated terminal, Leary said. Faced with the impressive expansion of West's share in the number of subscribers, Mead Data has quickly worked out a LEXIS service compatible with IBM terminals, access to which is expected to be available by

December.

It is "clearly to the students' advantage to have access to both of the competing systems," Leary said. While LEXIS use has remained approximately constant here at the Law School over the last three years, it is a safe bet that Westlaw's key-number searching and instant Shepard's are tempting features which will draw increased numbers of interested students into the LEXIS Room on Sub-1 to familiarize themselves with computerized research. Leary noted that Westlaw also has "a nice self-teaching program. I think that most people will find it easier to use."

WALT'S impending arrival has already changed training plans for this year's Case Club program. First year students will be required to attend training sessions for both systems. LEXIS training is scheduled to begin October 9, and will continue for six weeks. The Library will construct Westlaw training programs, and may consider adding more consultants, as soon as the new terminal is installed and available.

## Eklund Clarifies LSSS Fee Control

by Karen Jewell

In the discussion surrounding the Law School Student Senate's budget battle, some comments left students wondering just who controls the Senate's purse strings. In Dean Eklund's mind, there is only one answer: the Senate.

"I don't intend to exert any control over what's become, through tradition, a \$10 amount for the Senate. I don't even think mismanagement in a given year would make me exert any control over it. I suppose outright fraud might lead me to determine my responsibility to the other students. But certainly political views, funding of conservative versus liberal organizations, there's no way in the world the law school administration would interfere in that."

Eklund explained the relationships between administration, Senate, and student organization funding, and gave a brief history of the student senate fee.

The administration initiated student fees with several purposes in mind, including xeroxing costs for students, preclassification materials, and placement office handouts. Funds were disbursed at the discretion of the administration. By 1976, the fee was \$20 per term, and typically \$5 of that was given to the Senate for student activities.

Several years ago, the university itself incorporated a "lab fee" into the tuitions of all schools and colleges, including the law school. The law school administration decided that it was only fair to use that portion of tuition to cover the costs of materials which had previously been financed from student collections. The fee was decreased to \$5 per term.

"A couple of years ago," Eklund said, "at the initiation of the Senate, we raised the fee to \$10, and planned to give that full \$10 to the Senate for their activities. There's a real history of the administration setting these fees, but all of the \$10 goes to the Senate."

Once the money is released to the Senate, the administration does retain some interest in it, but merely from a bookkeeping point of view.

"Anytime the University, or a component school or college, is indicating that a fee is mandatory and dire things will happen to people who don't

pay, we've got some responsibility for it. We are, among other things, state employees collecting money in a state institution. We have to know what the money's being used for and be able to provide some sort of accounting for it. For one thing, we get audited periodically by the Attorney General's office.

"I collect this money, I sign transfers to get it to the Student Senate, and I think it would be irresponsible of me not to have any notion of what they were doing with it."

Is there any action the Senate could take which would induce administration interference in the budgeting process? Eklund answered, "There have been instances in the student government of this university, some not so long ago, of embezzling funds. If I thought that was happening, I'd reconsider turning over the funds. Or if there was some prolonged change in the use of the funds, if the money was used in some ridiculous way over a period of time, which, as a practical matter, is difficult to imagine."

"For example, if the Senate decided to refurbish their apartments, and buy new furniture so the Senate could meet there, I think it would be unfair to collect a mandatory fee from 1100 students for that purpose. On the other hand, I think if they did that in any given year it would be okay. They're elected by the students, and if the students elect people on that platform, that's what they could use the money for."

Eklund made it very clear that the administration would not guarantee a certain level of funding, through the Senate budget, for any student organization. The Senate could allocate all its money to one organization, and "I know I wouldn't interfere with that. I frankly don't care. If the Senate wants to rebate the \$10, it can rebate the \$10, as long as they don't expect me to administer it. What the Senate can't expect is that I would give them money for student activities, from my office's budget, if they're not using the \$10 fee for student activities."

The Senate's use of student fees can impact another source of funding, which Eklund does control. Every year, the dean's budget includes an extra sum of money which is used for discretionary funding of student activities. In the past, these have included ad hoc student interests, such as a national labor law competition and a

See Embezzlement, page 5.



## Res Gestae

# Candidates for LSSS First Year Reps

## Breakdown of Sections

| If your "small section"<br>number is: | Then you should vote for<br>candidates in section: |
|---------------------------------------|--|
| 1 - 4                                 | 1  |
| 5 - 8                                 | 2  |
| 9 - 12                                | 3  |
| 13 - 16                               | 4  |

### Section 1



*Eric Hard*

The Senate should seek to support a broad range of group interests, and to encourage us to ask ourselves what we expect from the study of law. The 800 or more firms who come to visit each year offer a security that few of us would readily dismiss. But there are other possibilities, and we all deserve an opportunity to find out what they are.

Through strengthened clinics, information workshops, and thoughtfully-constructed funding programs, we can cultivate a sense of choice. It is time, perhaps, that the institution reflect the diversity of which its leaders are so proud.

### Section 2



*Doris D. Coles*

I am a graduate of Michigan State University. As an undergraduate, I held the office of First Year Senator, President of Student Government, President of The Madison Minority Alliance and other offices. In my prior positions, I helped to institute programs such as Student/Professor relations conferences, alternative Curriculum Committees, and various social functions.

I feel the duty of a First Year Representative is to interact with fellow students, to share their concerns, and to initiate policies and activities which will complement or improve our

legal education. I urge those of you who share my interests, to consider my qualifications and to vote for me on election day.



*Rich Ochoa*

My name is Richard Ochoa. I am running for the first year representative seat because I have never been involved in student government before, but am interested in its processes. This interest was furthered by a recent Senate rejection of a proposal to appropriate funds to public interest groups, thus allowing them to interview at the law school. This proposal is a fine one; certainly deserving of further consideration. Finally, I enjoy working for and communicating with my classmates. I ask your vote on Oct. 6.

### Section 3



*Elizabeth Johnson*

I am Crippled. I am Black. I am Jewish. I am a Woman. And I support James Watt. (If you believe this we certainly are in trouble!) Seriously, there is an analogy here that should not be lost upon us. I am concerned that the Senate be a true representative group and respond to the students' demands, desires, and needs. The Senate should be an instrument for constructive changes and beneficial programs. It should not be used for personal vendettas against so-called "unpopular" fringe groups. So vote for me. We will all win!

*Andy Gaudin*

I enter the forum with high energy and a genuine concern for cohesion within the senate body. Though I regard the disparate ideologies in the group as a sign of a healthy student government, a responsible and cooperative voice is needed so that the senate can operate effectively.

Furthermore, as a representative body, the Senate needs accessible and open-minded members. Ideas that circulate among students have to be developed and enacted by perceptive Senators.

Finally, I am aware of the level of responsibility that this position entails. However, I am also confident of my firm commitment to make the Senate an effective and representative body.

## Notices

**Reminder:** All first year students must attend a LEXIS training session this term. The sessions will begin on Sunday, October 9, and will continue for six weeks. To reserve a space in the session of your choice, sign your name on the sheets on the Writing and Advocacy bulletin board on the second floor of Hutchins Hall.

Anyone interested in the Law School Film Society should contact Jim Beller at 668-4020 or leave him a note in either the LSSS box or the flex folders.

**THE ARTS AND ENTERTAINMENT** law society met for the first time on Tuesday, September 6. Although the students interests ranged from theater to rock music, they maintain that a single, dedicated group dedicated to promoting arts and entertainment law would benefit all of them.

Activities could include the creation of an "information bank" for law students interested in identifying firms which do arts and entertainment law work and sponsoring lectures and presentations by professors and private

practitioners with expertise in current issues in arts and entertainment law. Students interested in joining the society should contact Janet Crossen or Tom Douvan.

Alan Hyde will be presiding over five evening sessions on "The Marxist Critique of Law and Legality" at 7:30 p.m. in the Cook Room (903), beginning Wednesday night, October 5, and continuing for the four following Wednesdays. Fifteen or twenty minute lectures will be followed by discussions at each session.

The schedule of topics:  
October 5 Hard Cases for Liberal Theories of Law  
October 12 The Concept of Totalities  
October 19 Historical Materialism  
October 26 Ideology and Legitimation  
November 2 Laws as Reifications

A delegation of Chinese legal scholars will visit the Law School October 13-15. If you speak Chinese and would like to assist with their visit, please contact Professor Gray (334 HH) or Virginia Gordan (308 HH).

**THE JEWISH LAW STUDENTS'** Union and the Judaic Studies Dept. of the University of Michigan are co-sponsoring a film series, Great Trials in Jewish History.

The first film, *The Life of Emile Zola* (1937) starring Paul Muni and featuring Zola's role in the Dreyfus Affair, will be screened on Thursday, October 6 at 8:00 in Room 100, Hutchins Hall. The film will be introduced by Professor David Weinberg of

the History Dept.

The second film, *The Fixer*, a fictionalized treatment of the 1911 Beiliss blood libel starring Alan Bates (1968), will be screened on Thursday, October 20 at 8:00 in Room 100, Hutchins Hall. Introductory speaker to be announced.

Ticket prices are \$3.00 for the entire series or \$2.00 a film. Series tickets will be sold at the first film or call Jeremy Garber 668-8219 for advance sales.

**PHOTOGRAPHER WANTED** for the Law Quadrangle Notes, the quarterly magazine for friends and alumni of the law school. Interested law students with photographic expertise should contact the LQN editor, Susan Nisbett, at 764-6375.

# Res Gestae



**Sheryl Moody**

The LSSS ideological division has blocked progress, alienated students, and made a mockery of the budget process. Do you want more representatives that fit into ideological pigeonholes? If so, vote for someone else.

Think twice, 1Ls. We can make a difference. We need to elect responsible people who will (1) examine each issue on its own merits, not succumb to party politics; (2) value sectionmates' input in making decisions (we ARE representatives); and (3) work to restore broad-based student support.

All 1Ls — evaluate your choices carefully. Sections 9-12 — come talk with me about specific issues. Let's make the Senate workable again.



**Tina Pompey**

I want the opportunity to serve as your first year representative to LSSS. I have had previous experience during my undergraduate years in both student government and other organizations. I am conscientious, hard-working, and devoted. I am also a good listener—one who listens to both those I work for, as well as those I work with. I believe it is very important to hear all ideas and gather input from others in order to represent you effectively. In order to do this, I need your support. So please give me your vote on October 6.

## Section 4



**Rick Garcia**

I believe that each of us is more than qualified to hold this office. It is difficult to choose between good friends. Although being "Summer Starters" has brought us all closer together, living in the quad and getting to know those who lived "off-campus" has provided me with the necessary insight to represent our section.

My background in student government is extensive. I am committed to the well being of the support groups in the basement and will stand firm on all issues. I will hold informal meetings to ascertain what each of you feel on important decisions. My voice will be yours and my door will always be open.



**Dan O'Fallon**

The LSSS provides a positive means for getting more involved in law school, and I enjoy politics. Politically, I am left of center. I believe the "fringe groups" contribute substantially to our education, and I support funding them. The budgeting process demands fiscal restraint, and senators are chosen to make the tough decisions, which necessitates cutting budgets. The function of the senate should be to serve as more than just a social committee. In light of the total amount we fork out, I do not feel the present student fee is unreasonable. I would be honored to represent my section.



**Russell Smith**

We are a diverse group of students. Our student senate should encourage that diversity. If I am elected I will work to support the various student organizations in their efforts to bring different and valuable perspectives and services to the law school. I also feel that the senate needs to be vocal about issues concerning the student body.

But as a senator, my prime responsibility is to further the goals of my constituents as they relate to the law school. I pledge to work together with my section, and with other students in the law school towards this end.

**Matt Frank**

(no statement submitted)  
(no photograph)

## Notices

**PETER L. BERGER**, noted for his views on political ethics and social change, will deliver the 1983 William W. Cook Lectures on American Institutions, sponsored by The University of Michigan Law School.

He will deliver a series of three public lectures Oct. 12, 13 and 14 on the topic "Dimensions of Pluralism: Religion and Morality in America." Each lecture begins at 4 p.m. in Lecture Room 1, Modern Languages Building.

On Oct. 12 the topic is "Secularism and Counter-Secularization." On Oct. 13 Berger will discuss "From Religious to Moral Pluralism" and on Oct. 14 "Churches as Mediating Structures."

Berger, who is now University Professor at Boston University, has also taught at Rutgers and the New School for Social Research.

His writings have dealt with the social sciences, philosophy, ethics and religion. In 1980, Berger was nominated for an American Book Award for "The Heretical Imperative."

**International Beer Festival:** The I.L.S. presents the third annual beer fest, Friday, October 7 from 4 until 6 p.m. in the Lawyers Club. This year we will feature live jazz by "Quintessence." Discounts for members who have paid their dues.

## CAPLIN & DRYSDALE, Chartered

of Washington, D.C.

will be seeking exceptionally well qualified candidates among the 2nd and 3rd year students during interviews on

**Thursday, October 20, 1983**

Our firm of 45 lawyers specializes in federal tax, securities, and corporate law, and civil and criminal litigation. Our practice, which is both national and international, emphasizes problems that are complex, nonroutine, and innovative.

Students' interview request cards are due in the Placement Office immediately.

## GENDEL, RASKOFF, SHAPIRO, & QUITTNER

of Los Angeles, California

is pleased to announce that it will have a representative of the firm on campus to interview interested 2nd and 3rd year students for summer associate and permanent associate positions on

**Wednesday, October 26, 1983**

The firm practices in the areas of civil litigation, bankruptcy, corporate reorganization, commercial transactions, banking, taxation and real estate.

Students' interview request cards are due in the Placement Office on October 10.



# The Res Gestae

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Features: Dan Bronson and Mike Barnes

Opinion: Dean Rietberg

Newsfeature: Greg Hopp

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## Milk-Toast

It's October again. The Law School Student Senate has set the budget. First-years are over the initial hype. Second-years are set in the interviewing mode. And third-years care one month less about everything.

Temporarily gone are the days of criticizing Law Review and its selection process. Already, fewer critics are concerning themselves with Senate Shenanigans. Except for an obnoxious and immature attack on the LGLS Bulletin Board, peace appears to have returned to Mudville.

So what's a newspaper to do?

Perhaps we ought to create news. Several friends of the RG editorial staff have suggested that such a plan would be business as usual. Maybe we should simply stop publishing. A few friends of the editorial staff have suggested such. Then again, we could attempt to branch out and cover events across the nation. No friends of the editorial staff have suggested that.

What then, can the Wednesday morning law student expect to find at 9:00 a.m.? Hopefully, something a little more creative and reflective from here on in. Since the Senate has set the budget, student organizations have at their disposal resources to enrich the law school environment. Are they using them effectively? Are law students benefiting from them?

Since first-years are more relaxed, maybe they will be more comfortable commenting on their small sections. Since second-years have become "interviewing moles" in large part, maybe they have been more equitably distributing the fly-back pie than did classes in the recent past. Since third-years care even less about the law, maybe they are developing some reasonable alternatives to the corporate practice.

And what about that faculty? Why have they remained unscathed thus far? Has the R.G. lost its backbone? Perhaps a group spinal extraction has taken place over the summer.

Well, pump up team. We're going to answer these questions this month. We also welcome your input on these and other issues. We plan to stay and nurse you through each hump day. And we promise not to doctor the R.G. formula.

# Forum

The big yellow school buses are once again maneuvering about the campus as well as the rest of Ann Arbor: public education has resumed. This marks the end of a 15-day strike which engulfed this community when teachers in the Ann Arbor schools refused to return in September without a contract.

Despite the resumption, damage done by the strike persists. Teachers have voiced their dissatisfaction with the district and most everyone involved is frustrated by this episode.

What is happening in this city is a reflection of the chaos reigning across the country. This crabbed atmosphere of malevolence and frustration is compounded as education is rebuked and increasingly forsaken by society.

Attempting to identify and quantify the problems with education is a most difficult endeavor. While a plethora of evidence exists pointing to the failures, there is a woeful lack of comprehensive, practical solutions. Here is perhaps the most compelling problem. We've created an educational system which has grown so large and cumbersome that it can no longer effectively reach all students.

This failure is manifested in many tangible ways. Numerous national reports have concluded that this country is 'at risk' utilizing its present education facilities. Denouncers herald the decline of standardized test scores as a sign of the collapse of an educational system sorely in need of sweeping reformation.

Exacerbating this malady is the current state of

Column by Greg Grassley

higher education. In September the University of Michigan lopped 40 percent from the School of Education effective over the next five years. Further enrollments in teacher-oriented schools at colleges and universities are declining everywhere in the union.

This defect has a compounding effect; with fewer persons interested in teaching and selecting that field as a profession, education's woes will continue.

Certainly at the heart of many of the problems is money. Legislatures in Michigan have demonstrated a penchant for reducing allotments to education. Many among the growing chorus of critics point to this propensity of law makers and assert that their inertia must be halted and solutions must be forthcoming.

Recognition of the need for reform and concentrated efforts toward implementing such reform is a beginning. From that beginning a protracted transition will most certainly follow, but it is necessary if we are to succeed in our efforts to use educational resources and provide people with the opportunity to meet their potentials. Anything short of the mark is a compromise we should not make.

## Letters

To the Editor:

In a recent interview (RG, Sept. 21), Shelia Johnson negatively described the composition of the Law School Student Senate as "4 conservatives, 3 moderates, and 2 swing votes." In a subsequent editorial (RG, Sept. 28), the RG declared a "divided Senate cannot function efficiently." While everyone seems to be up in arms about the "ideological split" in the LSSS, no one seems to be looking at the situation reasonably.

Dean Eklund has stated that "the school is a better, healthier, livelier place with a diverse group of people." (RG, Sept. 28) If the LSSS was not comprised of four conservatives, three liberals, and two swing votes, if I may more correctly describe the organization, it would not be very representative of our diverse student body. The students are not of one ideology; why should the Senate be? To expect the Senate to agree on every issue would be to expect the student body to agree on every issue. And that is unreasonable.

Jordana Enig

Jordana Enig is a second year representative.

To the Res Gestae:

The Environmental Law Society (ELS) was pleased to see that the Law School Student Senate (LSSS) expanded the role of student organizations while maintaining activity levels for all but one group. Unfortunately, ELS was the one group that saw budget cuts from last year's funding levels. ELS must now eliminate a project — most probably our annual winter issues forum — in order to stay within our allocation.

We recognize that LSSS provided extra funding for the job placement forum that ELS agreed to organize, but we also believe LSSS must recognize that job placement is not a traditional ELS function.

Reduced support for established ELS activities seems incongruous in light of the other budget decisions. Hopefully, we can find other funding sources for the project. Regrettably, though, valuable time resources of our members will now be spent scrambling for funding rather than working on projects.

ELS Steering Committee



MICHIGAN SQUIRRELS ARE NOT KNOWN FOR THEIR TIMIDITY.

## Res Gestae

Allen Discusses Conflicts, Careers, Colleagues from page one

FA: I think it undoubtedly had an impact, although the point is often forgotten, that the Affirmative Action program at the Law School had begun well before the agitation for it began. Indeed, we were well on our way to a mature Affirmative Action policy before the black action movement began on this campus. And I would say that, certainly among the professional schools, we (the Law School) had done more by way of recruiting minority students by the year 1968 than any other school in the campus.

RG: How would you compare those students in 1968 with the students in the Law School today?

FA: Well, this is very hard, and it's something that I think about a great deal. It is easy to say that there are great differences. The thing that gives one pause is whether or not the differences are genuine; do they really go very deep or are they simply surface manifestations?

There is no question that the generation that was in the Law School during the Vietnam controversy talked a great deal more and apparently expended a great deal more emotion on broad social issues. Yet, when I talk to many contemporary law students, I get the impression that after one strips away a kind of surface attitude, that many of the same concerns are being entertained by many modern students. That is, a great many modern students are concerned about maintaining their own personal identity and their own personal integrity when confronted with the prospect of practicing law.

A few years ago, I talked to the graduating law students at the University of Detroit. The question that I put to them was, "Is it possible to hang onto your head and your heart, and be a practicing lawyer at the same time?" Of course, I encouraged them to believe that it was possible.

RG: Has there always been the emphasis at Michigan to join the corporate law firm or corporate practice?

FA: Michigan Law School has for many generations been a school that has provided young people for large firms with corporate practices. I don't mean to say that we are unique in this. Almost the same thing could be said about all the national law schools. Surely there is nothing new about a large fraction of our law students being interested in corporate practice. I think what is new—and by new, I don't mean this generation, but instead, over the last decade and a half—is that there is some question about whether this is the kind of life the student wants to lead. I doubt that there was that kind of musing twenty years ago. There is a great deal of that kind of musing today.

The reality is that a great many law students at the best law schools in the country do indeed go into corporate work. And let me suggest one reason why that is true. Of course there is the financial reward. But aside from that, a great many students find that the intellectual challenge of that kind of practice is just greater and more appealing than other kinds of practice. That may be too bad, but a man or woman does not live by money alone or by heart alone. We live by our heads and the intellectual attraction of some of these problems is a factor that a great many critics don't bear in mind.

RG: Arguably, Michigan's criminal law faculty, with Professors Israel, Kamisar, yourself, and now Professor White, is the most renowned and diversified criminal law faculty in the nation....

FA: (interrupts) Oh, without doubt, without doubt.

RG: Does this group of professors represent a more liberal view than that of other faculties, say Harvard?

FA: I am not able to perceive a clear difference in orientation. If there is a difference in orientation, I'm not sure I would put it on the spectrum of liberal-conservative. Incidentally I'm not sure that one would put Professor Israel in that category. I think Professor Israel has done a very real service in providing skepticism and criticism of assertions and assumptions that stem from young people who grew up under the influence of the Warren Court. I regard that as very helpful, indeed.

I think all of the people whom you have mentioned, and I would put Mr. Westen in that group, one could hardly imagine a group of people who are more distinct and different. Kamisar and I—well, I have known him ever since he published his first article and I wrote him and said it was a good article. I think Yale (Kamisar) would recognize that he and I go at things in quite a different way, and yet in general, we come out very close to the same positions.

RG: Is Michigan facing a problem in attracting young people to its faculty?

FA: Well, I think so. We have not done very well in getting new faculty, not because the efforts have not been made. I am amazed at the amount of time and energy that is spent in this process. I think we've done very well with the people we have hired.

It may be that what we are experiencing is an aspect of the economics of the profession. When I began to teach, people of a sound mind knew that if you opted to teach, you were choosing a career that would be less well paid than if you had comparable success in practice at the bar. I assumed that at the time that I stopped teaching that I would be making no more than half of what I would have made had I gone into private practice and had comparable success.

I think what has happened is, and this is true not only of law professors, but of judges too, that while there has always been a gap or discrepancy between incomes of successful private lawyers and law professors, the gap has become dramatically wider.

RG: Are you thinking about retirement?

FA: Oh, I'm thinking about it. You can't get into your sixties without thinking about it. I am certainly not thinking about early retirement, and that means I have, oh, about six more years to go.

from page 1

## Ecklund: Nothing Short of Embezzlement

national conference on women and the law.

Ecklund explained, "I make a decision as to whether it's adding something special to the law school environment that is an appropriate use of institutional money. Another thing that can come from those discretionary funds is an additional increment for the Student Senate, and in a given year I want to know what the Senate plans to do with that money because I have to trade it off against the other things."

Ecklund concluded by saying, "I really don't want to be involved in the day-to-day budgeting activities of the

Senate. I don't want individual organizations coming to me to ask if they can count on me if the Senate won't fund a certain project. I want student groups to realize that they go to their student government, to the Senate, to MSA, to try to get funding. If they're really stuck for funding a project, which is something that will be of merit to the entire law school, then yes, they can come to me.

"I think there's an incredibly important role for the Senate to play in deciding what activities students want to finance. That's why we give them the money, and that's the role we expect them to carry out."

## The National Wildlife Federation

of Washington, D.C.

is pleased to announce that it will be interviewing interested first and second year students on

Monday, October 24

for environmental law internships

We are seeking interns for the spring, summer, and fall of 1984. The University of Michigan gives academic credit for the semester-long spring and fall internship, while the ten week summer internship pays a small salary. NWF requires that students have completed at least one year of law school prior to beginning the internship.

Students' interview request cards are due in the Placement Office by October 10.

Resumes, Cover Letters, Papers & Theses

- 24 hr. Turnaround

**THE WIZARD OF  
WORD PROCESSING**

- On Central Campus  
Next to Taco Bell

- 617 E. University  
996-9668

## TEXACO, Inc.

is pleased to announce that it will be interviewing interested 2nd and 3rd year students on

Wednesday, October 26

for summer and full-time positions in its Legal Department.

Students' interview request cards are due in the Placement Office by October 10.

## FISCHEL &amp; KAHN

of Chicago, Illinois

is pleased to announce that it will be interviewing interested 2nd and 3rd year students on

Friday, October 21

for positions with the firm during summer, 1984

Students' interview request cards are due in the Placement Office immediately.



## Res Gestae

### GIBBS, ROPER, LOOTS & WILLIAMS

*of Milwaukee, Wisconsin*

*is pleased to announce that it will be interviewing interested 2nd and 3rd year students on*

**Thursday, October 27**

*for positions with the firm during summer, 1984*

Students' interview request cards are due in the Placement Office by October 10.

### WOLF, BLOCK, SCHORR AND SOLIS-COHEN

*of Philadelphia, Pennsylvania*

*will be interviewing interested 2nd and 3rd year students on*

**Monday, October 17**

*Our firm consists of approximately 150 lawyers practicing in a broad range of civil work. Please obtain a copy of our resume in the Placement Office.*

Students' interview request cards are due in the Placement Office **immediately**.

### EVANS & LUPTAK

*of Detroit, Michigan*

*is pleased to announce that it will be interviewing interested second year students on*

**Friday, October 28**

*for positions with the firm during summer, 1984*

Students' interview request cards are due in the Placement Office by October 10.

### FOHRMAN LURIE SKLAR & SIMON, Ltd.

*of Chicago, Illinois*

*will be interviewing all interested 2nd and 3rd year students for summer 1984 positions on*

**Thursday, October 27**

*We are a young and growing firm of 25 attorneys with a diverse general practice which offers significant responsibility and opportunities to young lawyers.*

Students' interview request cards are due in the Placement Office by October 10.

### COOLEY, GODWARD, CASTRO HUDDLESON & TATUM

*of San Francisco and Palo Alto, California*

*will be interviewing interested 2nd and 3rd year students on*

**Monday and Tuesday, October 17 and 18**

*We plan to employ 15 permanent associates and 15 summer associates for 1984.*

Students' interview request cards are due in the Placement Office **immediately**.

### HILL, LEWIS, ADAMS, GOODRICH & TAIT

*of Detroit, Lansing, and Birmingham, Michigan*

*is pleased to announce that it will be interviewing interested 2nd and 3rd year students on*

**Monday, October 17**

*for summer and permanent positions in 1984, with the firm's Detroit, Lansing, and Birmingham offices*

Students' interview request cards are due in the Placement Office **immediately**.

### TROY, MALIN, POTTINGER & CASDEN

*of Los Angeles, California*

*is pleased to announce that it will be interviewing interested 2nd and 3rd year students on*

**Wednesday, October 26**

*for positions with the firm during summer, 1984*

Students' interview request cards are due in the Placement Office by October 10.

### PENDLETON & SABIAN, P.C.

*of Denver, Colorado*

*is pleased to announce that it will be interviewing interested 2nd and 3rd year students on*

**Wednesday, October 26**

*for positions with the firm during summer, 1984*

Students' interview request cards are due in the Placement Office by October 10.

### DUANE, MORRIS & HECKSCHER

*of Philadelphia, Pennsylvania*

*is pleased to announce that it will be interviewing interested 2nd and 3rd year students on*

**Monday, October 24**

*for summer and permanent positions with the firm.*

Students' interview request cards are due in the Placement Office by October 10.

### SQUIRE, SANDERS & DEMPSEY

*with offices in Brussels, Cleveland, Columbus, Miami, New York, Phoenix, and Washington D.C.*

*is pleased to announce that it will be interviewing second and third year students on*

**Monday and Tuesday, October 10 and 11**

*Positions are available in Cleveland, Columbus, Washington, D.C., Phoenix, and Miami. A significant number of our partners and associates are graduates of the University of Michigan Law School. We look forward to continuing this tradition in meeting with you this fall.*

Students' interview request cards are due in the Placement Office **immediately**.

# Res Gestae

## KRIEG / DeVAULT ALEXANDER & CAPEHART

*of Indianapolis, Indiana*

*is pleased to announce that it will be interviewing  
interested 2nd and 3rd year students on*

**Monday, October 24**

*for positions with the firm during summer, 1984*

Students' interview request cards are due in the Placement Office by October 10.

## DICKIE, McCAMEY & CHILCOTE

*of Pittsburgh, Pennsylvania*

*is pleased to announce that it will be interviewing  
interested second year students on*

**Tuesday, October 25**

*for positions with the firm during summer, 1984*

Students' interview request cards are due in the Placement Office by October 10.

## VAN COTT, BAGLEY, CORNWALL & McCARTHY

*of Salt Lake City, Utah*

*is pleased to announce that it will be interviewing  
interested 2nd and 3rd year students on*

**Monday, October 24**

*for positions with the firm during summer, 1984*

Students' interview request cards are due in the Placement Office by October 10.

## STERNS, HERBERT & WEINROTH

*of Princeton and Trenton, New Jersey*

*is pleased to announce that it will be interviewing  
interested 2nd and 3rd year students on*

**Monday, October 24**

*for positions with the firm during summer, 1984*

Students' interview request cards are due in the Placement Office by October 10.

## QUARLES & BRADY

*of Milwaukee and Madison, Wisconsin  
and Palm Beach and Naples, Florida*

*is pleased to announce that it will be interviewing  
interested 2nd and 3rd year students on*

**Thursday, October 6**

*for positions with the firm during summer, 1984*

Students should submit interview request cards and sign up in the Placement Office today.

## IRELL & MANELLA

*of Los Angeles, California*

*is pleased to announce that it will be interviewing  
interested second year students on*

**Wednesday, October 19**

*for positions with the firm during summer, 1984*

Students' interview request cards are due in the Placement Office immediately.

## STRAUSS, TROY AND RUEHLMANN CO., L.P.A.

*of Cincinnati, Ohio*

*invites interested 1st and 2nd year students for  
summer 1984 employment interviews on*

**Thursday, October 6, 1983**

Cincinnati offers a lot to a young lawyer: surging economy, political stability, arts, sports, and delightful urban communities. Our firm of 32 lawyers has an excellent, broad practice. Our resume is on file at the Placement Office. Associateship offers were given to all eligible clerks at the end of this past summer and all offers were accepted.

Students should submit interview request cards and sign up in the Placement Office today.

## BROWNSTEIN ZEIDMAN and SCHOMER

*of Washington, D.C.*

*is pleased to announce that it will be interviewing  
interested 2nd and 3rd year students on*

**Tuesday, October 25**

*for positions with the firm during summer, 1984*

Students' interview request cards are due in the Placement Office by October 10.

## NIXON, HARGRAVE, DEVANS & DOYLE

*of Rochester, New York*

*will be interviewing all interested 2nd and 3rd year students on*

**Tuesday, October 25**

*for summer 1984 positions and permanent positions in the fall, 1984*

Students' interview request cards are due in the Placement Office by October 10.

## JACOBS, WILLIAMS & MONTGOMERY, Ltd.

*of Chicago, Illinois*

*is pleased to announce that it will be interviewing  
interested second year students on*

**Wednesday, October 26**

*for positions with the firm during summer, 1984*

*Our firm consists of 40 attorneys and specializes in civil litigation.*

Students' interview request cards are due in the Placement Office by October 10.



# Feature

## Here's Looking At You, Squid

by Michael Barnes

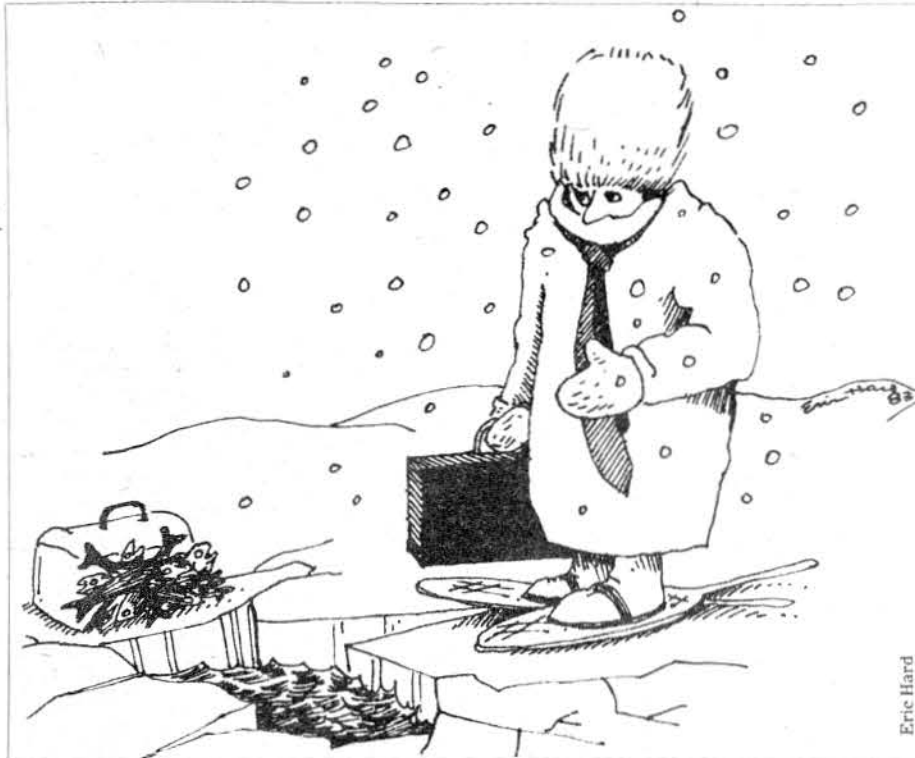
Philosophy is replete with metaphoric aquaticisms. There are plenty of other fish in the sea. Still waters run deep. It's water under the bridge. A nod is as good as a wink to a blind seahorse. What's worth having is worth wading for. And so on. A different oceanographic maxim has become my watchword and almost landed me the most coveted prize imaginable: a summer clerkship.

Sure, at one time I was an ignorant waif and interviewed only in major cities such as New York, Boston, and Muskegon. Without success, needless to say. Feeling particularly despondent one day, I drained a tequila bottle and emptied the dregs into a glass. Then it hit me—I must be a worm in a shot glass. After all, if it is better to be a big fish in a small pond than a small fish in a big pond, a worm in a shot glass must really have it made! Subsequent research confirmed my suspicions: the bluefin tuna, a typical big fish, has an average length of twenty-one feet, seven inches; a typical small pond in the Middle West has a radius of just under ninety-seven feet. By comparison, the species *wormus tequilus* is one inch long and occupies two and a half ounces of liquid. The only creature more capable of dominating its environment is the giant squid in a shower stall.

Putting my theory to the test, my first task was to eliminate firms unlikely to extend me an offer. Foremost were those which interview those on the staffs of the Law Review, Journal, International Yearbook, or Law Quad Notes. Next went those which only hire from the top four-fifths of the class. Also nixed were firms with a practice international, interstate, or intercounty in scope. Finally, I rejected cities with stoplights. I was left with five firms.

My first interview was just for practice, since I had little interest in Otter Tail, Minnesota. As it turned out, the firm closes in October and flies south for the winter.

I had better luck with the Fishtrap, Montana firm of Bunion and Ocks. At first. After assuring the interviewer that I knew Montana as well as I knew Kamisar's Crim Pro book, I admitted that I really wanted to work in the ad-



Eric Hard

miralty section of their Port of Piegan office (just southwest of Whiskey Gap, Alberta). Smart. How was I supposed to know that Port of Piegan wasn't on the ocean?

Mr. Ocks did refer me to his brother, a solicitor (that is legal in some countries) with Ali, Ali, Ocks, and Phree in Swift Current, Saskatchewan. I jokingly asked if they had ever considered working in Hold Fast (150 kilometers northeast of Swift Current) and they (jokingly?) asked if I had ever received a body massage from a moose. That particular inquiry greatly expedited my departure.

WHILE IN Saskatchewan, I decided to hit the third firm on my list—McKenzie, McKenzie, and Hohzer of Porcupine Plain, with a real estate practice 100 kilometers southwest in Quill Lake (query: which came first, the porcupine or the quill, eh?). The specialty of the McKenzie brothers is defending lake owners against wrongful death actions by the estates of ice fishermen. I was summarily dismissed when I innocently asked why anyone would fish for ice when Kroger's sells it for seventy-nine cents. Take off, Cunningham.

A quick reference to *Interviewing for Losers* identified my problem—I had no personal connection (in personam or in rem) with the aforementioned cities. Fortunately, my fourth interview was with a firm in my grandmother's neck of the woods: the Moss Point/Pascagoula metropolitan area in Southern Mississippi, known by the cognoscenti as Mossagoula (who, I believe, was a distant relative of Caligula and a lesser known emperor of Rome). The area is famous for two things: the colossal Ingalls shipyard and a hotel called The Longfellow House. Widely thought to have been named after Henry Wadsworth, the poet and frequent guest, the inside story is that it is named after Purvis Longfellow, who owns the Texaco station and gumbo stand in Biloxi.

I was greeted at the portals of Room 200 by an elegant gentleman complete with white suit, string tie, and a fifth of Early Times. I introduced myself as Michael Barnes, Sammy's boy, descended from the Thompsons of Lamar County. He responded that he was Colonel Lucius Q.M.C. "Clyde" Yelaro VII, descended from the Yelaroes of Texas. We "partook of the

refreshment", as he put it, shook hands, and he mentioned that relatives on his mother's side owned a famous hotel in Pascagoula. Hastening to put my foot in my mouth, I interjected, "Whah suh—y'all must be a Longfellow!" Oh God. His grip tightened and he winked at me. "Ah most suhtinly am, suh", he responded, "and mah hotel is known as the Ramada Inn." Exit stage left, rapidly.

My last chance was back in my favorite state, North Carolina. The law firm of Redd and Eck was interviewing for the Bat Cave and Tuxedo, NC offices, and was unable to get enough 2L's from Western Carolina University (Cullowhee) or Blue Ridge Tech (Hendersonville). This time, I was prepared for the first question: "Whah you reckon you is looking fer work in these parts?" "License plates", I answered immediately. "I figure, hey, any state that puts 'First in Freedom' on their license plates has my vote. 'Live Free or Die' is extremist. 'The Show-Me State' is ambiguous. 'Keep it Beautiful' sounds authoritarian. 'Land of Lincoln' anachronistic, and 'Big Sky Country' downright grandiose. 'Land of Enchantment' and 'Wild and Wonderful' just don't have that Constitutional touch. Hell, I'm for freedom: freedom for hippies, jerks, gays, anarchosyndicalists, Belgian-Americans, Scientologists, and freedom even for undergraduates who wear surgical greens to class. Freedom for Law Review editors, bluefin tunas, Montanans, mooses, ice fishermen, misguided Mississippians, and freedom even for people who wear whole wheat bicycling helmets to natural-childbirth-in-El-Salvador rallies!" Exhausted, I crashed.

I got an offer from Redd and Eck. Not a clerkship. They thought I was the perfect leader for their "Say Yes to Bat Cave" campaign. Times being what they were, naturally I accepted the job. I have decided to bury the worm-in-a-shotglass theory though. I have grown tired of piscatorial philosophizing, and I am ready for the big leagues, so to speak. I plan to interview this fall with firms in Rome, Athens, Washington, and Damascus. Perhaps someday I will have the nerve to leave Georgia.

## Law in the Raw

compiled by Mike Woronoff and Laura Rhodes

### Great Moments In Tort Law — # 1

Chattanooga—A man's claim that he permanently injured his neck when he turned abruptly upon seeing a "skimpy clad" woman in his motel room was rejected by a U.S. District Court jury in a retrial after an earlier jury had awarded him \$25,000.

James L. Hardy Jr. claimed that Days Inn of America Inc. was negligent for assigning him to an already occupied room.

The jury heard evidence that two days after the alleged motel encounter, he rode the log flume and skylift rides at Nashville's Opryland amusement park.

Washington Post quoted in *Fortune*, September 19, 1983.

### Quote of The Week

"The guy likes to come home and get supper and a couple of martinis from a woman who is reasonably rested."

Sen. Jeremiah Denton explaining why he voted in favor of special tax breaks for traditional families (an incentive for the wife to keep house and not go to work).

*Fortune*, September 19, 1983.

### What Do Law Firms Really Want?

After leaving Hutchins' hallowed halls last week, a law firm interviewer was overheard remarking to his junior associate, "Let's cross the street. There are more co-eds over there."

### Beam Me Up Scotty

The fastest jury verdict ever delivered in Bonner County, Idaho, found Kirk Johnson guilty of felony possession of stolen property after he flew a Cessna 150 on January 30 from Felts Field in Spokane, Washington, to Sandpoint, Idaho. It took just nine minutes, in spite of Johnson's spirited defense that he had been sucked into town through a black hole.

The jury doubted 30-year-old Johnson, although they conceded that they did not know why he took the plane, where he came from, or how he learned to fly.

Johnson, for his part, repeatedly insisted that the starship Enterprise was on its way to rescue him. *Student Lawyer*, September 1983.